IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

WP(C).No. 36937 of 2007(V)

PETITIONER:

N.J.PONNAMMA,
DISTRICT EDUCATIONAL OFFICER (RETIRED),
PATHANAMTHITTA, RESIDING AT ALUMOOTTIL JAISNA,
ANNAVATTOM, KUTTAPUZHA P.O.,
THIRUVALLA.

BY ADV. SRI.N.N.SUGUNAPALAN (SR.),
ADV. SRI.S.SUJIN.

RESPONDENTS:
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1. **SECRETARY TO GOVERNMENT,**
   GENERAL EDUCATION DEPARTMENT,
   GOVERNMENT OF KERALA, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. **STATE OF KERALA, REPRESENTED BY THE**
   CHIEF SECRETARY TO GOVERNMENT,
   GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI. BEJOY CHANDRAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/12/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 36937 of 2007

Dated this the 13th December, 2007

J U D G M E N T

Petitioner retired from service as District Educational Officer on 31.1.2006. The petitioner was placed under suspension pending enquiry allegedly on the ground that she had permitted private candidates to attend the examination in the schools in remote places. Order of suspension was set aside by this Court in Exhibit P1 judgment and liberty was granted to the Government to take fresh action by collecting fresh or additional materials.

2. Exhibit P2 memo of charges was issued on 17.1.2006 prior to the retirement of the petitioner on 31.1.2006. Petitioner submitted Exhibit P3 explanation. By Exhibit P5 show cause Government proposed to invoke Rule 59 (b) of Part III of K.S.R and reduce the petitioner's pension by 20%. Exhibit P6 to P8 are the representations submitted by the petitioner. Final decision has not been taken so far.

After having heard the learned Government Pleader also, this writ petition is disposed of directing the 1st respondent to pass final orders pursuant to Exhibits P5 after taking note of

Exhibits P6 to P8 representations and after hearing the petitioner, within a period of two months from the date of receipt of a copy of this judgment.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007